

# **PETITION FOR CONTROLLED GROUNDWATER AREA** **To the Department of Natural Resources and Conservation**

<b>NOTICE</b>	<b>For Department Use Only</b>
<p>This form can be filed by a state or local public health agency for identified public health risks or by at least 25% or 20 of the users of groundwater, whichever is less, in an area for designation of a controlled groundwater area. An incomplete or non-qualifying petition will be returned.</p> <p>A fee of \$500 must accompany this petition. Petitioners must also pay reasonable costs of giving notice, holding the hearing, conducting investigations, and making records pursuant to Mont. Code Ann. § 85-2-506 and 85-2-57.</p>	<p>Basin _____</p> <p>Date Received _____</p> <p>Fee Received _____</p> <p>Check No. _____</p> <p>Transmittal No. _____</p> <p>Received By _____</p> <p>Refund \$ _____</p> <p>Date _____</p>

*(type or print in ink)*

## **CONTACT PERSON**

Name \_\_\_\_\_ Phone No. \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

1. Mont. Code Ann. § 85-2-506 requires that this petition must allege certain facts showing that one or more of the following situations exist or are likely to occur. Check the appropriate box or boxes and fully explain that alleged facts in the space provided or on additional attached sheets. Attach all supporting information.

- ☐ A. That groundwater withdrawals are in excess of recharge to the aquifer or aquifers within such groundwater area. Explanation:

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- ☐ B. That excessive groundwater withdrawals are very likely to occur in the near future because of consistent and significant increases in withdrawals from within the groundwater area. Explanation:

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- ☐ C. That significant disputes regarding priority of rights, amounts of groundwater in use by appropriators, or priority of type of use are in progress within the groundwater area. Explanation:

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2. **Type of Designation or Provisions Requested:** Describe the kind of corrective controls or provisions you are requesting the designation of a controlled groundwater area to include. The following are examples of some possible provisions:

- all new groundwater developments (wells and developed springs) within the area be required to obtain a water use permit from the Department of Natural Resources and Conservation (regardless of flow rate and volume)
- the area to be closed to all new groundwater developments within the boundaries
- close only certain aquifers to new groundwater developments within the boundaries
- the total amount of water withdrawn by existing and/or new wells in the area could be limited by day, month or year
- the amount of water diverted by existing and/or new wells could be prioritized by use such as domestic and stock
- require a system of rotation of use by existing and/or new wells
- any other controls needed to protect the public health, safety and welfare.

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3. **Map:** A U.S. Geological Survey quadrangle map, or one of similar size, scale and detail level **must** accompany the petition. In addition to the information provided on the USGS map, the map **must** also show the following:

- A. north direction;
- B. township and range numbers;
- C. section corners and numbers;
- D. accurate outline of the proposed controlled area
- E. location of any known groundwater recording equipment;
- F. point of diversion of all groundwater users, including wells and developed springs.

4. **Land Ownership:** Attach a list to this petition of all the landowners within the proposed boundaries of the controlled groundwater area. Land ownership may be found at the county assessors office. The list must include the name and complete mailing address of the property owner.

## 5. **SIGNATURES**

This petition **must** be filled by a representative of a state or local public health agency **or** by at least 25% or 20, whichever is less, of the groundwater users in the proposed controlled area. **Print or type the full name of the water user and mailing address and sing on the appropriate line. Attach additional sheets if necessary.**

WE THE UNDERSIGNED GROUNDWATER USERS IN THE PROPOSED CONTROLLED AREA PETITION THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR A CONTROLLED GROUNDWATER AREA IN ACCORDANCE WITH SECTION 85-2-506, MCA AND THIS PETITION.

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**Name (print)**

**Signature**

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